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FILED
 Clerk
 District Court

JAN 13 2006

For The Northern Mariana Islands
 By _____
 (Deputy Clerk)

5 DAVID G. BANES, ESQ.
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10 Attorneys for Defendant Todd Keith Johnson

11 IN THE UNITED STATES DISTRICT COURT
 12 FOR THE NORTHERN MARIANA ISLANDS

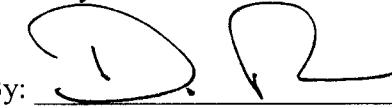
13 ALAN STUART MARKOFF, D.D.S. dba) CIVIL ACTION. NO: 05-0030-
 14 TOOTHWORKS and OPEN CHOICE,)
 15 Plaintiff,) NOTICE OF MOTION TO DISMISS
 16 vs.) PLAINTIFF'S SECOND CAUSE OF
 17 TODD KEITH JOHNSON, D.D.S.,) ACTION
 18 Defendant.) Date : Munson, Chief Judge
 19) Time :
 20) Judge:
 21)
 22)
 23)
 24)
 25)

26 PLEASE TAKE NOTICE THAT ON FEB 16 2006
 27 at 9 a.m./p.m., or as
 28 soon thereafter as counsel may be heard at the District Court, Garapan, Saipan, Defendant will and
 hereby does move the Court to dismiss Plaintiff's Second Cause of Action in this matter.

Dated this 16th day of January, 2006.

Respectfully submitted,

O'CONNOR BERMAN DOTT'S & BANES
 Attorneys for Defendant Todd K. Johnson

By: 
 DAVID G. BANES

ORIGINAL